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**Testimony of Atty. Amy Eppler-Epstein, New Haven Legal Assistance Assoc.  
In Support of HB 5208: An Act Considering Housing Opportunities for Justice-Impacted  
Persons**

**In Support of HB 5233: An Act Concerning Evictions for Cause  
In Support of HB 5205: An Act Concerning Fair Rent Commissions  
In Support of SB 200: An Act Concerning Summary Process Records**

**Housing Committee Hearing, March 1, 2022**

**In Support of HB 5208: An Act Considering Housing Opportunities for Justice-Impacted  
Persons**

I am an attorney at New Haven Legal Assistance, and co-teach a Reentry Clinic that supervises law students in their advocacy for clients who have criminal convictions. Many of our clients have difficulty in securing rental housing due their criminal records. I urge the Housing Committee to support HB 5208 to address this problem in a fair and balanced way, consistent with the recommendations of the 2018-2019 legislatively mandated Council on the Collateral Consequences of a Criminal Record ("the Council").

Our Re-Entry Clinic works with people who have criminal convictions to help them address the collateral consequences of these convictions-- including barriers to accessing housing and employment, to reconnecting with their communities after incarceration, and to learning new skills-- in order to move forward with their lives.

Under current law, landlords can, and do, regularly reject applicants for convictions that occurred long ago or that have little relevance to the person's ability to be a safe and respectful tenant. Many of our clients have made significant and meaningful changes in their lives and deserve better than to be judged solely on their prior convictions. The consequences of this discrimination include housing instability and homelessness, all of which make successful reintegration to society, and getting and retaining a job, much more difficult. Having stable housing is a fundamental building block to obtaining employment, further education, medical or mental health treatment, and overall health. H.B. 5208 seeks to enable people with criminal convictions to access both public and private housing and gain the stability they need to successfully move ahead with their lives.

H.B. 5208 addresses these issues by:

- Limiting the convictions landlords can consider to misdemeanor convictions that occurred in the past 3 years and felony convictions that occurred in the past 7 years;
- Requiring landlords to give prospective tenants an opportunity to show why such convictions should not be grounds to deny them housing;
- Requiring landlords to give a written explanation of the reason for a denial, and save that documentation for 2 years
- Allowing tenants who are denied housing in violation of the law to pursue legal remedies for discrimination with the Commission on Human Rights and Opportunities (CHRO)

The current version of H.B. 5208 represents an important and long-needed step towards ensuring that justice-impacted persons in the State of Connecticut can obtain housing without facing unfair discrimination. By limiting the types of prior convictions which may be considered in housing decisions and mandating that housing providers provide all applicants with a chance to speak on their own behalf, the legislature will help appropriately limit and remove the barriers to obtaining housing that face so many people with criminal convictions.

There is one minor amendments I would suggest to the bill:

- Lines 147 – 154 (subsection “g”) are intended to make this law consistent with current federal law restrictions on occupancy in federally subsidized public housing. The language should be amended to make clear that the two exceptions apply only to applicants for federal public housing. To do so, I urge you to amend the language to insert on line 50, after the word “person,” the following: “who applies for public housing who is” subject....

Thank you for your time and consideration of our testimony regarding H.B. 5208. Law student Rebecca Harris has submitted testimony in writing, describing the challenges faced by some of our clinic clients. Our clinic is happy to help if you have any questions, or if there is any way we can provide further assistance. You can reach me at [aeppler-epstein@nhlegal.org](mailto:aeppler-epstein@nhlegal.org).

### **In Support of HB 5233: An Act Concerning Evictions for Cause**

The pandemic has highlighted the critical importance of stable housing as an issue of both individual and public health. In addition to co-teaching NHLAA’s Reentry Clinic, I am an attorney in our housing unit, and represent tenants in a variety of housing matters. We have been seeing a huge increase in the numbers of tenants who are facing eviction for no stated reason—the evictions are brought simply for “lapse of time,” because the lease is up and the landlord decides not to renew it. Given the importance of maintaining stable housing, tenants should not be evicted for no reason. The current just cause eviction protections that exist under CGS 47a-23c for elderly and disabled tenants should be extended to all tenants in covered properties (buildings with 5 or more units).

### **In Support of HB 5205: An Act Concerning Fair Rent Commissions**

In New Haven, the Fair Rent Commission has been a helpful tool for tenants to use if landlords precipitously raise the rent. It has been particularly important when landlords seek to raise rents, without making much needed repairs; in such instances, Fair Rent Commissions not only can limit the amount of rent increases, but can also require repairs before any increase is approved at all. Although our office has sometimes represented tenants at the Fair Rent Commission, one beauty of Fair Rent Commissions is that the system is user friendly, allowing both landlords and tenants to readily represent themselves. This is an increasingly important tool in times like the present, when rents have increased dramatically in many communities throughout the state. We urge the passage of this bill to expand the creation of fair rent commissions in Connecticut.

### **In Support of SB 200: An Act Concerning Summary Process Records**

Increasingly we are finding that our clients cannot procure rental housing when an eviction case has been brought against them. Often, the mere filing of an eviction case is cited as a reason to deny someone an apartment, regardless of the outcome of the case. Since most cases are resolved by negotiated agreements, which are listed as judgments for the landlord, a judgment in an eviction case is not a judicial determination of any wrongdoing by the tenant; yet such judgments remain on public record, and are routinely held against tenants in their search for new housing. Eviction filings have a disproportionate impact on families of color, making this an issue not just of fairness, but also of racial justice.

S.B. 200 reduces the amount of time after disposition that an eviction record stays on the Judicial Branch website – to 30 days if the tenant wins or if the case is dismissed or withdrawn. The bill also prohibits commercial screening services from including removed cases, but it does so only if the companies have “actual knowledge” of the removal. Companies will have such knowledge only if the cases are not included in the bulk data they receive. **We strongly support the bill but request two changes:** (1) the wording should be made clear that judgments for the landlord must be removed after one year (line 16-17) and (2) the bulk data base sold by Judicial to commercial users should not include removed records, so that “actual knowledge” will not be an issue.